



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/804,170

03/19/2004

Nathan T. Czyzewski

5793.3143-00

7400

22852

7590

06/25/2008

FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER
LLP

901 NEW YORK AVENUE, NW
WASHINGTON, DC 20001-4413

EXAMINER

FIELDS, BENJAMIN S

ART UNIT

PAPER NUMBER

3692

MAIL DATE

DELIVERY MODE

06/25/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

DETAILED ACTION

Introduction

1. The following is a **FINAL** Office Action in response to the communication received on 15 May 2008. Claims 1-7, 9-26, 28-45, and 47-57 are now pending in this application.

Response to Amendments

2. The Examiner wishes to acknowledge the Applicants amendment of the Specification.

3. Applicants Amendments to Claims 1-60 has been acknowledged in that: **Claims 1-2, 4-7, 9-18, 20-21, 23-26, 28-37, 39-40, 42-45 and 47-56 have been amended; Claims 8, 27, 46, and 58-60 have been canceled; NO Claims have been added;** hence, as such, **Claims 1-7, 9-26, 28-45, and 47-57 are pending in this application.**

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-7, 9-26, 28-45, and 47-57 are rejected under 35 U.S.C. 103(a) as being unpatentable over Musselwhite et al. (US PG Pub. No. 2003/0097270), [hereinafter Musselwhite].

Referring to Claim 1: Musselwhite shows a method of managing a financial account comprising: defining at least one condition for the financial account, wherein the at least one condition comprises at least one condition attribute including a condition attribute class and a condition attribute value (Musselwhite: Abstract; Page 1, Paragraph 0007); defining first account parameters and second account parameters, wherein the first account parameters are associated with the at least one condition (Musselwhite: Abstract; Page 3, Paragraphs 0030-0032; Page 5, Paragraphs 0044-0045; Claim 1); determining whether transactions associated with the financial account satisfy the at least one condition (Musselwhite: Abstract; Page 1, Paragraph 0011; Page 3, Paragraphs 0030-0032; Page 5, Paragraphs 0044-0045; Claim 1); processing transactions that satisfy the at least one condition based on the first account parameters; determining if an account parameter time period expired at an end of a previous billing cycle (Musselwhite: Figure 7; Page 7, Paragraphs 0057-0063; Claim 13); and determining whether any transactions processed based on the first account parameters in the previous billing cycle are associated with the account parameter time period that expired at the end of the previous billing cycle (Musselwhite: Figure 7; Page 7, Paragraphs 0057-0063; Claim 13); and processing all transactions associated with the account parameter time period that expired at the end of the previous billing cycle based on the second account parameters (Musselwhite: Abstract; Figure 7; Page 3,

Paragraphs 0030-0032; Page 5, Paragraphs 0044-0045; Page 7, Paragraphs 0057-0063; Claims 1, 13).

Musselwhite, however, does not expressly discuss a method wherein the at least one condition comprises at least one condition attribute including a condition attribute class and a condition attribute value.

The Examiner notes that the disclosure of Musselwhite encompasses the teaching of a “condition” whereby account holders are provided with incentives. Within a method and system as taught by Musselwhite, it would be obvious to include an additional method wherein the at least one condition comprises at least one condition attribute including a condition attribute class and a condition attribute value (Musselwhite: Page 1, Paragraph 0007; Page 5, Paragraph 0044-Page 6, Paragraph 0046).

At the time of the invention, it would have been obvious to one of ordinary skill in the art to modify the system and method of Musselwhite for providing financial accounts with incentives to include the feature mentioned above for the purpose of allowing customers greater flexibility in usage of credit lines (Musselwhite: Page 1, Paragraph 0009-Page 2, Paragraph 0012).

Referring to Claim 2: Musselwhite discusses a method, wherein the transactions each comprise at least one transaction attribute, the at least one transaction attribute comprising a transaction attribute class and a transaction attribute value (Musselwhite: Abstract; Page 3, Paragraphs 0030-0031).

Referring to Claim 3: Musselwhite teaches a method, wherein the financial account is a credit card account (Musselwhite: Abstract; Page 1, Paragraphs 0001-0011; Claim 3).

Referring to Claim 4: Musselwhite discloses a method, wherein the first account parameters include a first interest rate and the second account parameters include a second interest rate, wherein the first interest rate is lower than the second interest rate (Musselwhite: Abstract; Page 1, Paragraphs 0004-0005, 0007, 0011; Page 2, Paragraphs 0022-0023; Page 4, Paragraph 0039; Claims 4,12).

Referring to Claim 5: Musselwhite shows a method, wherein the first account parameters include a first interest rate and the second account parameters include a second interest rate, wherein the first interest rate is higher than the second interest rate (Musselwhite: Abstract; Page 1, Paragraphs 0004-0005, 0007, 0011; Page 2, Paragraphs 0022-0023; Page 4, Paragraph 0039; Claims 4,12).

Referring to Claim 6: Musselwhite teaches a method, wherein the defining first account parameters and the second account parameters further comprises: defining at least one account parameter with at least one account parameter type and at least one account parameter time period, wherein the at least one account parameter time period is associated with the account parameter type (Musselwhite: Abstract; Claims 1-3, 13).

Referring to Claim 7: Musselwhite discusses a method further comprising: determining whether any transactions processed using the first account parameters in the previous billing cycle are associated with an expiring account parameter time period that will expire during a next billing cycle (Musselwhite: Figure 7; Page 7, Paragraph

0057, 0061, 0062; Claim 2,13); and providing a financial account holder with a notification stating that the expiring account parameter time period will end during the next billing cycle based on the determining step (Musselwhite: Figure 7; Page 7, Paragraph 0057, 0061, 0062; Claim 2,13).

Referring to Claim 9: Claim 9 parallels the limitations of Claim 1. As such, Claim 9 is rejected under the same basis as is Claim 1 as mentioned supra.

Referring to Claim 10: Claim 10 reflects the limitations of Claim 9. As such, Claim 10 is rejected under the same basis as is Claim 9 as mentioned supra.

Referring to Claim 11: Claim 11 parallels the limitations of Claims 6 and 10. As such, Claim 11 is rejected under the same basis as are Claims 6 and 10 as mentioned supra.

Referring to Claim 12: Musselwhite teaches a method further comprising: generating a billing statement reflecting an amount to be paid by a financial account holder based on at least the first account parameters and the second account parameters (Musselwhite: Claims 1-4).

Referring to Claim 13: Musselwhite discloses a method, wherein the transaction attribute class is at least one of: a merchant name; a merchant type; a merchant location; a transaction date; a transaction time; and a transaction amount (Musselwhite: Abstract; Page 3, Paragraphs 0030-0031).

Referring to Claim 14: Musselwhite teaches a method, wherein defining the at least one condition for the financial account further comprises: choosing the condition attribute class of the condition attribute; choosing the condition attribute value of the

condition attribute; and setting the condition attribute class to a value that is either equal to or greater than the condition attribute value (Musselwhite: Abstract; Figures 1-4; Claims 1-4) (Musselwhite: Abstract; Claims 1-12).

Referring to Claim 15: Musselwhite shows a method, wherein determining whether transactions associated with the financial account satisfy the at least one condition further comprises: comparing each transaction attribute of each transaction with each condition attribute of the at least one condition (Musselwhite: Abstract; Figures 1-4; Claims 1-4); and determining whether any transaction attribute of the transaction satisfies each condition attribute of the at least one condition (Musselwhite: Abstract; Figures 1-4; Claims 1-4).

Referring to Claim 16: Musselwhite teaches a method, wherein the at least one account parameter type includes at least one of: an interest rate, a finance charge waiver period, a monthly payment waiver period, and a payment allocation (Musselwhite: Claim 2, 4, 12-13).

Referring to Claim 17: Musselwhite discloses a method further comprising: applying the at least one account parameter to transactions that satisfy the at least one condition associated with the at least one account parameter (Musselwhite: Abstract; Figures 1-4; Claims 1-4).

Referring to Claim 18: Musselwhite shows a method, wherein the at least one account parameter time period comprises more than one billing cycle (Musselwhite: Claims 1-12).

Referring to Claim 19: Musselwhite discusses a method further comprising: comparing the transaction attribute class with the condition attribute class; determining whether the transaction attribute class matches any condition attribute class; and comparing the transaction attribute value with the condition attribute value based on the determining step (Musselwhite: Abstract; Figures 1-4; Claims 1-4).

Referring to Claims 20-26, and 28-38: Claims 20-26, and 28-38 are the system for the method of Claims 1-7, and 9-19. As such, Claims 20-26, and 28-38 are rejected under the same basis as are Claims 1-19 as mentioned supra.

Referring to Claims 39-45, and 47-57: Claims 39-45, and 47-57 are directed towards a computer program product comprising a computer-readable medium for performing the method disclosed in Claims 1-7, and 9-19. As such, Claims 39-45, and 47-57 are rejected under the same basis as are Claims 1-7, and 9-19 as mentioned supra.

Examiner Note

6. **The Examiner has pointed out particular reference(s) contained in the prior art of** record within the body of this action for convenience of the Applicant. Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may apply. **Applicant**, in preparing the response, should **fully consider the entire reference** as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the Examiner.

Response to Arguments

7. Applicants arguments filed 15 May 2008 have been fully considered but have been found to be **moot** and **non-persuasive** in view of the new grounds of rejection.

Conclusion

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication should be directed to BENJAMIN S. FIELDS at telephone number 571.272.9734. The examiner can normally be reached MONDAY THRU FRI between the hours of 9AM and 7PM. If attempts to reach the

examiner by telephone are unsuccessful, the examiner's supervisor, KAMBIZ ABDI can be reached at 571.272.6702. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Benjamin S. Fields
/Frantzy Poinvil/
Primary Examiner, Art Unit 3692

16 June 2008